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Committee on the Elimination of Discrimination against Women
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Summary record of the 1508th meeting
Held at the Palais des Nations, Geneva, on Friday, 7 July 2017, at 10 a.m.

Chair: Ms. Leinarte

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Eighth periodic report of Costa Rica (CEDAW/C/CRI/7; CEDAW/C/CRI/Q/7 and Add.1)

1. *At the invitation of the Chair, the delegation of Costa Rica took places at the Committee table.*

2. **Ms. Mora Mora** (Costa Rica), introducing the seventh periodic report of Costa Rica (CEDAW/C/CRI/7), said that the report had been drawn up in collaboration with some 30 public sector services and other State institutions, such as the judiciary, the Supreme Electoral Tribunal and the Legislative Assembly, and civil society. In Costa Rica, as elsewhere in the world, advances in the sphere of women's human rights encountered opposition from NGOs and lawmakers alike, which claimed that such advances would have a negative impact on society in general and the lives of men in particular. The Government had identified economic independence as a key aspect in the promotion of women's human rights. In becoming economically independent, women became recognized as workers who transformed society and possessed the skills required to promote national development. In that regard, the Government had made efforts to close the gender gaps in income, access to technology and employment opportunities, for example through the establishment of a satellite account for unpaid household work, a special insurance scheme for part-time domestic workers, a gender equality management system that dealt with recruitment, promotions and sexual harassment in the workplace, a system of regional and national trade fairs to support women micro-entrepreneurs and public university projects to promote the scientific careers and increase the scientific and technical skills of young women.

3. In 2016, a total of 160,336 million Costa Rican colones of credit had been made available under the development banking system, of which 25 per cent had been allocated to projects proposed by women. The financial support allocated to projects run by women had risen from 28 billion colones for 5,565 projects in 2014 to a little over 67 billion colones for 9,472 projects in 2016.

4. Costa Rica had made significant progress towards establishing the principle of equality before the law. That principle was enshrined in article 33 of the Political Constitution while the prohibition of gender-based discrimination was set forth in legal instruments such as the Labour Procedure Code. Article 1 of the Political Constitution had been amended to preserve the multi-ethnic and multicultural character of Costa Rica. During the reporting period, progress had been made in relation to a number of pieces of legislation, including the law on strengthening the legal protections afforded to girls and adolescents against abuse, the Act amending the Psychotropic Substances Act, which aimed at reducing sentences for women first-time offenders in situations of vulnerability, the law regulating the use of electronic devices as an alternative to custodial measures, the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), the Domestic Violence Act, as amended, the Criminalization of Violence against Women Act and others. Furthermore, the notion of gender equality had been taken into account in the electoral reform.

5. In Costa Rica, human rights instruments that had been ratified by the State, such as the Convention, took precedence over the national law if they enhanced the protection of human rights. The Convention had been directly applied to legislation concerning the right to political participation, including a provision on gender parity in lists of candidates, and the right to a life free of violence.

6. The most important strategy for the implementation of gender mainstreaming was the national policy for gender equity and equality, and a third action plan for its implementation had been signed by the heads of all the different branches of Government and the Supreme Electoral Tribunal. In accordance with the plan, over 26 institutions had become involved in specific actions that were intended to mainstream gender. In order to ensure the sustainability of gender mainstreaming, strategic partnerships had been established with civil society, the business sector and non-governmental organizations. The

results achieved by such partnerships included the attachment of the Women's Forum to the National Institute for Women and the establishment of agreements with the chambers of commerce, the forum for women entrepreneurs, the business association for the development of the economic independence of women and the national football union. The Bar Association provided women with legal assistance in judicial proceedings related to the application of the Criminalization of Violence against Women Act.

7. In collaboration with UN-Women, the Economic Commission for Latin America, the Inter-American Development Bank and the World Bank, the Government was making efforts to tackle the gender pay gap by promoting women's access to the banking system, providing distinct collateral guarantees and challenging gender stereotypes in the world of finance. In order to increase the participation of women in the United Nations, women had been put forward for a number of positions in that organization. Costa Rica was a member of the Group of Friends for Gender Parity, which currently counted 109 States among its members.

8. Services for women, including those provided by the National Institute for Women, were being strengthened, broadened and diversified. The Care Network had been expanded to comprise 1,157 alternative care centres providing services to 52,190 boys and girls. Educational centres were being opened in association with the "Yo me apunto (Sign me up)" project. The centres in question provided evening care to the children of students attending night school. Twelve children's centres were operating in the evening, caring for around 250 children. Some 32 additional establishments would be opened beginning in 2017. In accordance with the Bridge to Development Plan, the percentage of households headed by women living in extreme poverty had fallen by 1.6 per cent from 2015 to 2016. The Plan was aimed at a total of 54,600 families, of which 27,000 had women heads of household. The "Women Advance" programme, which was run by the National Institute for Women, sought to bring about profound changes in women's personal lives and in families and communities by addressing areas such as sexual and reproductive health and gender theory. The number of women targeted had risen from 1,300 in 2014 to 10,000 in 2017. Affirmative action was being taken to improve rural women's access to government transfers, legal title to land and credit.

9. The Information and Guidance Centre, which was run by the National Institute for Women, had expanded its services by establishing a hotline operated by a specialized staff who had answered some 5,358 calls over a 14-month period. Women seeking advice on labour legislation had benefited from a hotline established by the Ministry of Labour and Social Security, which had received 9,216 calls during the first six months of 2016.

10. The support provided to women victims of violence had been enhanced through the opening of a legal advisory service staffed by trained public defenders and psychological counsellors. From 2015 to 2016, the service had dealt with 3,275 new cases of women victims of violence and provided follow-up services to 2,027 women. Twenty new centres, which operated in conjunction with the National Institute for Women, the police and the judiciary, had been established for women facing a high risk of violence and femicide. Rapid response teams had been established to ensure that victims of sexual violence could receive prompt support. Comprehensive support services had been expanded to help victims to file criminal complaints, seek protection against domestic violence and recover maintenance.

11. The High-Level Council of the National System for the Prevention of Violence and the Support of Victims had unanimously approved the 2017-2032 national policy for the prevention of violence against women and the care of victims. In accordance with the policy, emphasis would be placed on children and adolescents, stereotypical notions of masculinity, symbolic violence, street-level harassment and the strengthening of mechanisms for the protection of women against all forms of violence, including femicide.

12. Where health was concerned, training was being provided in new areas, such as perinatal education, the treatment of pregnant women with humanity and dignity in childbirth. Following the failure by the Legislative Assembly to adopt the law on in vitro fertilization, regulations approved by the executive branch were now in force. Protocols for high- and low-complexity treatments had been drawn up and training programmes had been

initiated for first and second-level care providers. As patients seeking in vitro fertilization could now be referred directly from comprehensive basic health-care teams, they no longer needed to visit regional hospitals beforehand. In order to implement the regulations on in vitro fertilization, the Costa Rican Social Security Fund had earmarked funding for the construction of a reproductive medicine unit, at a cost of $7.6 million, which was expected to open in October 2018. In vitro fertilization was currently available in private health-care facilities. The Costa Rican Social Security Fund had issued technical guidelines for the provision of counselling and the prescription of contraceptive methods as part of the care provided to adolescents. The guidelines in question established that adolescents must undergo a comprehensive assessment by professionals in the areas of medicine, nursing, psychology and social work in order to determine whether they were at risk of becoming pregnant or contracting a sexually transmitted disease.

13. In the area of political participation, some 40 per cent of posts on the Governing Council were now occupied by women. Affirmative action had been taken to promote the rights of rural women, indigenous women, persons of African origin, women with disabilities and women who were deprived of their liberty. Strategic actions had been carried out to ensure that same-sex couples enjoyed the right to social security and that institutions provided such couples with the same benefits that were granted to heterosexual couples. A number of institutions had issued a declaration stating that they would respect and promote the rights of lesbian, gay, transgender, bisexual and intersex persons. In order to ensure recognition of the diverse nature of families, the Joint Social Assistance Institute had decided that same-sex couples should be registered as families. Individuals could now be listed on the civil register in accordance with their self-identity, and efforts had been made to ensure that lesbian, gay, transgender, bisexual and intersex (LGBTI) persons were fully integrated into the education system. Procedures governing the treatment of LGBTI persons who were deprived of their liberty were being drawn up. Furthermore, transsexual women who were living in poverty were eligible for training programmes run by the National Institute for Women. The national statistics system had adopted guidelines for the incorporation of the gender perspective into the statistics that it produced and disseminated. The judiciary had also taken steps to produce data disaggregated by gender and population group.

Articles 1 to 6

14. **Ms. Hayashi** said that she was concerned to note that the definition of discrimination against women set out in the Convention was not contained in any constitutional provision or in any other legislation. The Committee would welcome information on any plans in place to include definitions of discrimination against women and remedies for victims of discrimination in national law. Noting that Roman Catholicism was the official State religion, she would welcome the delegation's views on reports that religious fundamentalism was responsible for impeding the realization of the human rights of women, particularly with regard to the enactment of new laws on women's reproductive health rights and sexuality. She asked how the State party intended to tackle that problem and how the realization of the rights of women could be made compatible with the State religion. She asked which body was responsible for assessing the impact of laws and policies, whether the Office of the Ombudsperson had been a part of the inter-agency platform set up to draft the periodic report and whether that platform was involved in following up on concluding observations relating to the rights of women issued by other treaty bodies.

15. **Ms. Arias Madrigal** (Costa Rica) said that article 47 of the Constitution provided for the direct application of international treaties on human rights when those treaties granted more rights than were set down in the Constitution itself. In numerous areas of law, the judiciary, acting through the Constitutional Chamber and other bodies, had invoked international human rights treaties, including the Convention, in order to protect fundamental human rights. Furthermore, the national Labour Procedure Code covered gender-based discrimination.

16. **Ms. Mora Mora** (Costa Rica) said the difficulties that the Government was facing in advancing women's rights were not primarily attributable to the fact that Costa Rica was

a confessional State but rather to the resistance mounted by certain political parties opposed to that objective. Moreover, an increasing number of men's organizations were coming together to form NGOs with the intention of undermining the progress made in the field of women's rights, often by employing tactics similar to those used by women's organizations to claim them, such as marches and protests. Those organizations routinely called into question the advances made in Costa Rican case law and caused a large proportion of the population to wonder whether the progress made would be reversed.

17. **Ms. Delgado Cascante** (Costa Rica) said that the National Institute for Women served as both the national mechanism for the advancement of women and the body responsible for coordinating activities related to the implementation of the Convention, overseeing an inter-agency platform composed of some 35 institutions. The Institute had the task of securing the commitment of each institutional focal point to monitor the application of measures to implement the Convention. Each institution listed the measures that it had committed to taking in that connection in an annual workplan, which served as a monitoring tool. The content and scope of the institutional measures in question were determined ahead of time through a consultative and analytical process. Although the Institute bore overall responsibility for the implementation of the Convention, all the institutions making up the inter-agency platform had each made an individual commitment to do so. The Institute had succeeded in convincing the different institutions to treat measures to implement the Convention as a priority and not as a subsidiary responsibility. It also employed a specialist in each of the main areas covered by the Convention who could provide institutional focal points with guidance, as required.

18. **Ms. Hayashi** said that the State party was to be commended on having established the Observatory on Gender-Based Violence against Women and Access to Justice in 2015. She asked whether minority women and women with disabilities could access the information published by the Observatory in their own language or in an accessible format. She noted with interest the explanation provided by the head of delegation about the role of men's organizations in hampering the advancement of women's rights, as a similar trend was beginning to emerge in her own country, Japan.

19. **Ms. Halperin-Kaddari** said that she welcomed the candour displayed by the head of delegation in explaining how hostile political parties and aggressive men's organizations posed a threat to women's rights, which was part of a global backlash against the progress made in that field in previous decades. The National Institute for Women should continue to raise awareness of that threat and join forces with other institutions with a view to providing an effective response to it. While it was perhaps not the case in Costa Rica, in her experience, conservative religious groups, even if they did not have formal standing, were often behind attempts to curtail women's rights.

20. **Ms. Haidar** said the fact that worship-related matters fell within the remit of Ministry of Foreign Affairs only served to underscore the centrality of faith in Costa Rican society. The State party should make use of the latest tools and resources to promote a better understanding of the relationship between faith and the realization of human rights, such as the Beirut Declaration on Faith for Rights, as a means of forestalling conflicts between the two.

21. **Ms. Arocha Dominguez** said that, on occasion, the ambiguity of the information contained in the State party's report on the obstacles to the advancement of women's rights had led the Committee to rely on information provided by alternative sources. She understood that little or no progress had been made in guaranteeing women the full range of sexual and reproductive rights enshrined in the Convention owing to the polarization of the issue in Costa Rican society and in the parliament. The role of religious conservatism in impeding the advancement of the women's rights agenda in Costa Rica should not be downplayed. She asked what measures the State party envisaged taking to overcome those obstacles, further that agenda and prevent any loss of women's rights. Given that the Constitution now recognized the multicultural and multi-ethnic nature of the country's population, it would be useful to know how the State party planned to reflect that reality in existing policies with a view to eradicating the multiple discrimination suffered by certain groups of women.

22. **Ms. Manalo** said it was her understanding that, in Costa Rica, international treaties prevailed over the Constitution and domestic laws. Therefore, as the State party had ratified the Convention, it was required to take steps to bring its Constitution and domestic laws into conformity with its provisions. Although the State party had made some progress in that regard, she found it regrettable that it had still not adopted a definition of discrimination against women encompassing direct and indirect discrimination, in line with article 1 of the Convention. Moreover, the lack of separation of Church and State, coupled with the continued prevalence of machismo in Costa Rican society, only served to hinder the full implementation of the Convention. She asked how the State party planned to overcome those obstacles to give full effect to all of the treaty's provisions and to guarantee women the full range of rights enshrined in it.

23. **Ms. Arias Madrigal** (Costa Rica) said that the purpose of the Observatory on Gender-Based Violence against Women and Access to Justice, which was an ongoing project of the gender secretariat of the judiciary, was to provide women, professionals and the media with the latest information on the various forms of violence faced by women and on the actions, programmes and resources that the judiciary had at its disposal to assist them. Further information was available at: www.poder-judicial.go.cr/observatoriodegenero. The section of the website entitled "Soy mujer y busco" (I'm a woman and I'm looking) listed the offices that women could contact in each province of the country and provided accessible information on women's fundamental rights and different types of gender-based violence. The Government acknowledged that it needed to take better account of the needs of women from different cultural and ethnic backgrounds in the years to come. It had begun that process by setting up a number of community-based focus groups in order to gain a clearer idea of the steps that it needed to take to achieve that end. However, the immediate priority was to equip all women with a sound knowledge of their rights and how they should claim them before the judicial authorities.

24. **Ms. Mora Mora** (Costa Rica) said that it was only right for the delegation to speak frankly about the obstacles impeding the advancement of the women's rights agenda in Costa Rica, which appeared to be part of a larger global trend. It was important for the Committee to be apprised of developments in the situation of women's rights so that its concluding observations and recommendations reflected the reality on the ground. Machismo continued to constitute a serious structural problem in Costa Rican society, with new forms of the phenomenon having emerged in recent years, thus necessitating the adoption of new strategic measures to combat them. The National Institute for Women attached great importance to strengthening existing and forging new partnerships, as it was well aware that it could not successfully respond to such new threats to women's rights alone. The Institute had staged interventions in male-dominated environments, such as football matches, which were a breeding ground for sexual harassment and gender-based violence, in the hope of having a positive impact. It had also sought to form partnerships with NGOs and the business sector.

25. The existence of genuine political will at the highest level was also a prerequisite for advancing the women's rights agenda. The systematic involvement of women in high-level policymaking would guarantee the inclusion of a gender perspective and give greater prominence to women's rights. It was important to emphasize that the Institute was not the sole guardian of women's rights; rather they were everyone's concern. The third Plan of Action of the National Policy on Gender Equality and Equity had been signed by the heads of the different branches of government, thus creating a sense of State ownership.

26. The Institute was also working with men to deconstruct and revise the concept of masculinity and endeavouring to involve them in women's empowerment activities. Although providing public officials with continuous training was costly, it was important to inculcate in them the values of gender equality. The Institute was in the process of finalizing a bill to strengthen the links between the different gender equality mechanisms operating at the national and local levels and the different women's rights networks with the aim of promoting a more holistic view of the national gender equality machinery.

27. The Institute also recognized the need to strengthen partnerships and to share good practices with other countries in the region. However, the resistance mounted by certain political parties, men's associations and NGOs was such that the Institute had judged

holding a dialogue with those groups to be impossible. She was in favour of the Institute's Executive President being appointed by the President and promoted to the rank of Minister for the Status of Women and Equality, as being a member of the Government Council would provide him or her with an overview of the situation throughout the country. The Institute had also devoted more resources to conducting research in the form of perception surveys in order to gain a better understanding of public opinion and to collecting data as evidence of the situation of women on the ground.

28. **Ms. Rana** said that the State party was to be congratulated on the numerous initiatives that it had undertaken to promote gender equality and to prevent and eradicate gender-based violence, such as the National Plan for the Care and Prevention of Domestic Violence, the National Policy on Gender Equality and Equity, the establishment of local committees to provide immediate care in cases of high risk of violence against women, the introduction of a unified system of statistics on gender violence and the adoption of a comprehensive migration policy. However, the Committee had been informed by alternative sources that many such initiatives existed only in name, were not allocated sufficient resources or failed to have any real impact. The National Institute for Women, in particular, was reported to face immense challenges in directing and coordinating the work of various entities. Moreover, the Municipal Offices for Women's Affairs, which served as gender equality mechanisms at the local level, allegedly lacked authority and a robust structure. Regrettably, a recent decision to broaden their mandate to address the concerns of other population groups had effectively reduced the specific support available to women at the local level.

29. She asked how the Institute went about harmonizing the implementation of plans and programmes of the different entities that came under its authority and whether the State party planned to strengthen institutional services for women, including the support provided by local governments and Municipal Offices for Women's Affairs, and to guarantee the availability of the services provided by the Institute outside the greater metropolitan area. It would also be helpful to know the extent to which civil society was involved in prevention, media and community intervention strategies.

30. Recalling the shortcomings in the indicators of the unified system of statistics on gender violence and the commitment made by the State party to overhaul it, she asked whether the State party had begun that process and what efforts it was making to collect statistical and qualitative information that would allow data disaggregated by gender, age, ethnicity and type of violence, among other variables, to be included in all indicators and official and unofficial reports and studies.

31. In its previous concluding observations (CEDAW/C/CRI/CO/5-6), the Committee had urged the State party to consider assigning ministerial rank to the Executive President of the National Institute for Women to ensure that it had the authority and capacity to mainstream the gender perspective into and coordinate the activities of governmental departments. Although article 14 of the Act on the National Institute for Women provided that the minister responsible for women's affairs could also serve as Executive President of the Institute, a proposal to amend that article so that the Executive President could be appointed by the President and hold the rank of Minister for the Status of Women and Equality was currently before the parliament. She asked what stage had been reached in the consideration of the proposed amendment and what impact it was expected to have if passed.

32. Given that conflict in neighbouring countries had led to a large influx of refugees into Costa Rica, most of whom were women, it would be useful if the delegation could outline the State party's strategy for dealing with female refugees. She also wished to know whether the State party had considered devising a national action plan on women and peace and security, pursuant to Security Council resolution 1325 (2000).

33. **Ms. Hofmeister**, recalling that States parties to the Convention were required to adopt temporary special measures to accelerate the achievement of de facto gender equality, said that time-limited gender quotas in particular had proved to be an essential tool for achieving women's full and equal participation in all sectors of society and their equitable representation in the public and political life of the country. Temporary special measures

could also be used to guarantee women equal and fair access to health-care services, education and employment. Such measures were not intended to benefit only women from the majority population but also women belonging to vulnerable groups. She drew the delegation's attention to the Committee's general recommendation No. 25 (2004) on temporary special measures for guidance.

34. In her view, the greatest challenge facing Costa Rica in the implementation of the Convention was the need to address the intersectionality between gender-based and other forms of discrimination and the multiple discrimination suffered by women belonging to ethnic minority groups. The adoption of temporary special measures might help to address the gender-related dimension of phenomena such as racial discrimination. She would like to receive information on the temporary special measures adopted by the State party to date, in particular those aimed at guaranteeing women belonging to disadvantaged groups equal access to health-care services, education and employment, and on the initiatives undertaken to support impoverished female heads of households and their children.

35. **Ms. Arias Madrigal** (Costa Rica) said that, with a view to combating discrimination against women in the country, the Government had adopted the National Policy for the Care and Prevention of Domestic Violence for the period 2017-2032 and the National Policy on Gender Equality and Equity, which would be completed in 2017. That policy had set out five strategic areas to improve the situation of women, including, non-remunerated work, access to services and political participation. Implementation of the policy had been monitored using an online follow-up system that included goal-based actions and a set of indicators to evaluate their outcomes. The system, which provided for assessments every two years, would be employed for future policies, as it had proved successful. A review of the policy outcomes in 2016 by the Office of the Comptroller General had confirmed the policy goals had been attained, and a consultation with civil society would be initiated shortly on the development of the new National Plan for the Care and Prevention of Domestic Violence. Implementation and follow-up of that plan, which was enshrined in law, would be based on the model pertaining to the National Policy on Gender Equality and Equity. To that end, a committee had been established made up of a technical secretariat under the National Institute for Women, a policy council composed of relevant stakeholders, such as officials of the police and the judiciary, and a wide inter-institutional platform.

36. **Ms. Delgado Cascante** (Costa Rica) said that policies had been adopted laying out a set of affirmative action measures tailored to the specific needs of vulnerable groups of women, such as migrants, detainees, women of African descent and indigenous women, to guarantee their access to justice. Other targeted measures included interpretation in four indigenous languages for legal proceedings, the obligation to consider indigenous peoples' world view and quotas for the inclusion of women with disabilities. Efforts had been intensified in the National Institute for Women and the Gender-Based Violence against Women and Access to Justice Observatory to empower women and to achieve parity in the judiciary, as women came up against obstacles to promotion from the middle to the higher ranks of the judiciary and their representation at senior levels was thus inadequate. Following difficult negotiations with the Executive Board, a regulation had been adopted in May 2017 to achieve horizontal and vertical parity of the presidency of the Court of Justice.

37. **Ms. Mora Mora** (Costa Rica) said that changes in societal attitudes were vital to the achievement of gender equality. While quotas were a step in the right direction, they did not necessarily guarantee parity. Under the parity policies in place to guarantee women's effective political participation, mechanisms had been established requiring that political parties not only ensured vertical parity in each electoral list for the Legislative Assembly, with men and women alternating, but also horizontal parity in all provincial electoral lists, with women and men alternating as the candidates listed first, with a view to ensuring that women occupied leadership posts. There were also rules on parity for boards of directors and associations, trade unions and community organizations. By law, State institutions were required to replace any member of a board of directors who stepped down with a woman until parity was achieved. A bill to implement the principle of parity in government ministries and vice-ministries would be presented to the plenary of the Legislative Assembly shortly.

38. Forums had been set up to deal with issues relating to people of African descent and indigenous peoples. Plans were drawn up based on agendas prepared by those groups to ensure that their world views were taken into account. The Ministry of Work and Social Security had developed the "My First Job" programme, which aimed to promote new employment opportunities for women, young persons and persons with disabilities. Under the programme, significant Government subsidies were provided and a 40 per cent quota for women was in place. The Executive President of the National Institute for Women had been granted the status of minister without portfolio.

39. **Ms. Ameline** asked whether the national measures envisaged to achieve the Sustainable Development Goals covered gender equality.

40. **Ms. Mora Mora** (Costa Rica) said that it was important to avoid duplication of work when it came to existing international and regional agreements on sustainable development. A national agenda would be drawn up that aligned regional agreements with the Sustainable Development Goals. Discussions were also being held to ensure that the National Policy on Gender Equality and Equity explicitly set out the ways in which strategic areas were aligned with the Sustainable Development Goals. The Ministry of the Environment and Energy was developing initiatives on climate change that took into account women's role in that regard and the specific impact on them.

41. **Ms. Delgado Cascante** (Costa Rica) said that efforts were being made to integrate Sustainable Development Goals 5, 17 and 18 into the work of the judiciary. A mobile application had been designed to raise awareness among teenagers of the risks of early pregnancy. Measures for the rehabilitation of young victims of gender-based violence had been introduced, with the participation of civil society, which included helping them to pursue personal goals in order to avoid reliance on an abusive partner.

42. **Mr. Guillermet Fernández** (Costa Rica) said that Costa Rica was the first country to sign a national agreement on implementation of the Sustainable Development Goals. The agreement involved the State, the private sector and non-governmental organizations, which ensured coordination and monitoring from all sectors. A steering group had also been set up to monitor the impact at the national level.

43. **Ms. Arocha Domínguez**, welcoming the adoption of various measures to eliminate discriminatory stereotypes, said that such efforts required significant coordination among institutions and with civil society. Training was crucial for all education system staff, who played a major role, directly or indirectly, in either reinforcing or challenging gender-based stereotypes. Training should also be extended to law enforcement personnel and to print, radio and television journalists given their influence on society. Gender equality could not be achieved without changing attitudes within family structures. Reports had raised concerns regarding the reconciliation of freedom of expression in the press with the need to combat stereotypes and the image of women transmitted through the media.

44. She asked whether integration of the Sustainable Development Goals was envisaged in the National Policy for the Care and Prevention of Domestic Violence. She would appreciate clarification of the interplay between the Domestic Violence Act and the Criminalization of Violence against Women Act and of reports that sentences handed down for cases of violence against women under the Criminalization of Violence against Women Act had been reduced. She asked whether, in cases where women victims of violence who had been afforded protection against violence did not file a complaint, procedures were in place to ensure follow-up and prosecutions. She asked how many women had been murdered who had previously been subject to protection measures but whose cases had not come before the courts, why, according to reports, only a fraction of cases reported resulted in prosecutions and how effective criminal proceedings were in that regard. She asked what kind of technical support the National Institute for Women provided for women victims of violence and whether it encompassed free legal aid. She would like information on the role of the Institute in regions where no branch was present and on how the decentralization process affected its work in that regard. She would also like to know whether cases of violence against older persons were classified as domestic violence and how the Government intended to follow up on the recommendations in the report of the Independent

Expert on the enjoyment of all human rights by older persons on her mission to Costa Rica in 2016 from a gender perspective.

45. **Ms. Haidar** said that, despite the adoption of various measures against trafficking, particularly the National Fund to Combat Human Trafficking and Illegal Migrant Smuggling, and the upgrading by the United States Department of State 2017 *Trafficking in Persons Report* to tier 2, many concerns remained regarding trafficking in persons. As noted in the Department of State report, the definition of trafficking in the national law was inconsistent with international law in that it required a victim to be internationally transported. However, Costa Rican women and children were subjected to sex trafficking within the country. Transgender persons as well as women and girls from various Latin American countries had been identified in Costa Rica as victims of sex trafficking and domestic servitude. In that light, she asked whether there were plans to amend legislation in accordance with international law, whether financial and human resources were available to increase prosecutions of trafficking cases and how the need for specialized shelters and services for victims would be addressed, especially in remote regions and for child victims of trafficking for purposes of sexual exploitation. She asked what was being done to improve victim identification, particularly with regard to the detection of psychological coercion based on the stigma associated with prostitution that made it difficult to turn elsewhere. She requested information on plans to provide training on anti-trafficking measures for police, prosecutors and judges and to improve data collection for law enforcement and victim protection. What measures were envisaged to assist and protect women involved in prostitution? She asked how the Government would address the non-registration of children of indigenous peoples and migrant workers, which prevented them from accessing basic services and left them open to traffickers. She asked what was being done to expedite the current lengthy asylum procedures, which increased the vulnerability of asylum-seeking women to trafficking, in order to improve their access to the labour market and afford them social protection.

46. **Ms. Delgado Cascante** (Costa Rica) said that one of the key tasks of the national mechanism for the defence of women's rights was to ensure continuous investment in training for public officials. In that regard, the Government had established centres for ongoing training in central institutions. For example, both the judicial branch and the police had their own training colleges providing a broad range of courses, including on the subject of violence against women. Similar training modules were also available for health-care and educational professionals. During the period covered by the report, around 20,000 members of the judiciary had participated in courses on, among others, violence against women and human trafficking. In education, a pilot project offering virtual training on gender issues, including gender-based violence, to teachers and pupils alike was now carried out on a permanent basis. So far, around 87 schools throughout the country had registered. In addition, a process had been launched in 2017 to provide preschool teachers with training on gender equality and the prevention of violence.

47. Two observatories, namely the Women's Portrayal in Advertising Observatory and the Gender-Based Violence against Women and Access to Justice Observatory, played a role in monitoring women's representation in the communications media, providing valuable insight on the perception of women in society and their portrayal in the media and receiving complaints from the public. Relevant guidelines had also been drawn up in cooperation with members of the media and advertising industries, although the initiative had not been as widely supported as had been hoped.

48. **Ms. Arias Madrigal** (Costa Rica) said that the vast majority of reported cases of domestic violence were heard in the civil courts and settled in the victim's favour, and protection measures were applied. When it came to criminal cases, however, the data was less encouraging: many cases were dismissed, partly owing to the fact that women victims sometimes withdrew their complaints or refused to testify in court. In the worst cases, women victims were killed by their aggressors before the case could be completed.

49. Focal groups established to identify why women retracted their complaints found that many women were not interested in seeing their abusive partners imprisoned; they simply wanted the perpetrator removed from the home and prevented from attacking them and assurances that they would pay child maintenance. In that light, more needed to be

done to raise awareness of the issue of domestic violence and to encourage and support victims to come forward. Even so, there had been a slight increase in the number of criminal convictions, and the courts made use of the full range of legal options open to them, such as pretrial detention, whenever a woman lodged a complaint of domestic violence. However, the Government recognized that measures needed to be taken to tackle the problem comprehensively, taking into consideration cultural, social and economic factors and getting men to take up the cause of ending violence against women and changing outmoded perceptions of masculinity.

50. Lastly, steps were being taken to amend article 172 of the Criminal Code, on trafficking in persons, so as to ensure a more comprehensive approach and incorporate aggravating circumstances related to that offence. The creation of special prosecutors had proved effective in dealing with trafficking cases, resulting in improvements in the latest trafficking data, which, in turn, had led to Costa Rica being upgraded from tier 3 to tier 2 in the United States Department of State *Trafficking in Persons Report*.

51. **Ms. Mora Mora** (Costa Rica) said that, in the event that a perpetrator of domestic violence breached any of the preventive measures handed down by the civil courts, the case would automatically be referred for criminal action. However, some women victims were reluctant for their cases to be brought before the criminal courts, which contributed to the high number of cases that were dropped. In that light, the National Institute for Women had formed an alliance with the Bar Association with the aim of improving access for women victims of violence to legal services. In terms of civil cases, the National Institute for Women acted in a capacity akin to that of the Public Defence Service, providing legal assistance to women who requested it. All of the country's provinces were covered by the Service, which included access not only to lawyers but also to psychologists.

52. The National Fund to Combat Human Trafficking and Illegal Migrant Smuggling now had sufficient funds to enable it to implement projects and carry out training and awareness-raising on trafficking. Plans to set up a shelter specifically for trafficking victims had been shelved for the time being, owing to the fact that demand was currently being met by shelters for victims of violence and the Victim and Witness Protection Office, which provided comprehensive care and temporary accommodation.

53. The birth registration system was generally very efficient, since births were automatically registered by hospitals. Contingencies were also in place to ensure that home births were also promptly registered. That said, Costa Rica, and the Central American region as a whole, was facing a massive influx of migrant workers. There had been issues with bottlenecks on the border with Nicaragua and, at one point, as many as 3,000 migrants had been arriving in Costa Rica daily. The situation had prompted discussions regarding the registration of migrant children born on Costa Rican soil; as far as she was aware, however, there had been no reported complaints in that regard. Lastly, inheritance issues were often at the root of domestic violence against older persons. The application of domestic violence legislation was limited to cases involving spouses and partners; however, various precautionary measures were available in cases of violence committed against parents by their children.

54. **Mr. Guillermet Fernández** (Costa Rica) said that, regarding birth registration, mobile teams had been sent out to register the children of the Ngöbe-Bugle indigenous group from Panama, who crossed the border with Costa Rica for seasonal work, and thus plug a gap in the birth registration system. In total, some 9,000 unregistered Ngöbe-Bugle children and adults had now been registered by those teams.

55. Asylum seekers were granted immediate access to health-care services and education and, after three months, they also had the right to work, irrespective of their refugee status. On average, it took two-and-a-half years for an asylum seeker's application to be processed and their status confirmed, a period that included notification of the initial decision, which usually occurred within nine months, and the right of appeal. Lastly, gender had recently been added as a ground for granting refugee status.

56. **Ms. Arocha Domínguez** said that she wished to know whether it was possible for the Bar Association to actively identify vulnerable women who might need legal assistance

rather than wait for them to request it. The concern was that, owing to the scant resources available, those women who really needed representation might not receive it.

57. She noted that the Committee on the Rights of the Child had raised concerns regarding deficiencies in the registration of births of children not only of the Ngäbe-Buglé indigenous group from Panama but also of migrant workers from Nicaragua and certain indigenous groups living in remote areas. Updated information in that regard would therefore be welcome.

58. **Ms. Halperin-Kaddari** said that, while the legal aid initiative provided in cooperation with the Bar Association was commendable, it did not release the Government from its obligation to provide free legal assistance. She wished to know whether training on domestic violence was mandatory for all judges and whether there were also courses covering other gender issues.

59. **Ms. Mora Mora** (Costa Rica) said it was true that the social advocacy services provided by the Bar Association and wholly funded by the National Institute for Women were not necessarily sustainable in the long run. However, the ultimate aim of the project was to demonstrate that providing comprehensive victim support and protection was crucial for obtaining criminal convictions. In so doing, it was hoped that changes could be made to the Protection of Victims and Witnesses Act and more comprehensive State-funded support provided.

60. **Ms. Arias Madrigal** (Costa Rica) said that the Public Prosecution Service was, admittedly, more focused on obtaining the best results in criminal proceedings than on protecting victims. That said, the Protection of Victims and Witnesses Act provided that victims of violence were entitled to protection measures both within and outside the legal process; however, it had not yielded the hoped-for results, partly because victims did not welcome the constant police presence. It was for that reason that the Bar Association social advocacy services had been established. However, a formal and sustainable system of support and protection for victims of domestic violence was needed to replace the current, somewhat ad hoc, approach.

61. Training on gender issues was indeed mandatory for all members of the judiciary, and all newly recruited judges were obliged to undertake training on violence against women. The gender perspective was also a cross-cutting issue and formed part of judges' continuous professional development. In 2016, around 12,000 women and 14,000 men had undertaken training on gender issues, while the Judicial Training College regularly conducted awareness-raising and held workshops on topics such as gender equality, new perceptions of masculinity, access to justice and human rights.

Articles 7 to 9

62. **Ms. Hofmeister** said that she was concerned at the lack of progress made to achieve gender parity and boost women's participation in political life. In fact, the number of women Members of Parliament had actually decreased following the 2014 elections. In that connection, she wished to know why the State party had still not implemented the gender parity system for posts elected under the majority representation system, as had been recommended by the Committee in its previous concluding observations, what steps had been taken to increase women's representation on the boards of international corporations and to what extent did women occupy leading and decision-making roles in public and private companies. She noted with interest that a bill had been drafted with the aim of eliminating political violence against and harassment of women. She would welcome information on the main issues covered in that bill and the legal definition of political harassment. Information on the status of women's NGOs and women human rights defenders would also be appreciated.

The meeting rose at 1 p.m.